AMO REPORTS 82-21

RESPONSE TO THE DRAFT GUIDELINES FOR THE DEVELOPMENT OF POLICIES ON COMMUNITY IMPROVEMENT

THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO
NOVEMBER 1982

ASSOCIATION OF MUNICIPALITIES OF ONTARIO

The Association of Municipalities of Ontario, a non-partisan voluntary organization, is united to promote the values of the municipal government system and the status of the municipal level of government as a vital and essential component of the total intergovernmental framework of Ontario and Canada.

The Association acts as the collective voice of Ontario's municipal governments and is organized to accomplish through cooperation and coordination, what the majority have neither the time nor the resources to do individually.

The Association represents some six hundred (600) municipal governments throughout Ontario. The governing body is composed of some eighty (80) municipal elected and appointed officials, who in turn represent a wide-range of municipal government interest.

The following sections and affiliated municipal professional associations form an important part of the Association's structure and therefore, play an important part in its activities in terms of the Board of Directors, program and policy development:

Association Sections:

* County and Regional Section
* Large Urban Section
* Northern Ontario Section (FONOM/NOMA)
* Rural (ROMA) Section
* Organization of Small Urban Municipalities Section

Association Affiliates:

* Association of Municipal Clerks and Treasurers of Ontario
* Association of Municipal Tax Collectors of Ontario
* Municipal Engineers Association
* Ontario Municipal Administrators Association
* Ontario Municipal Personnel Association
* Ontario Municipal Social Services Association
* Society of Directors of Municipal Recreation of Ontario

To the Municipal Clerk:

Please circulate this Report to the members of council and to the staff of your municipality. Additional copies are available at $2.50 each from the Publications Centre, Association of Municipalities of Ontario, 100 University Avenue, Suite 902, Toronto, Ontario M5J 1V6

"AMO Reports 82-21" was submitted to the Minister of Municipal Affairs and Housing on November 30, 1982.

AMO RESPONSE TO THE DRAFT GUIDELINES FOR THE DEVELOPMENT OF POLICIES ON COMMUNITY IMPROVEMENT

1. AMO Policy

The following paragraphs are excerpts from the response of the Association of Municipalities of Ontario to Bill 159, An Act to Revise the Planning Act:

> *" ... The Association believes that if municipalities are required to adopt policies in their official plans related to community improvement and provided community improvement plans are required to be in conformity with official plans, that such plans should not be subject to the same approval provisions as official plans. Further, many community improvement programs are funded, to some extent, by the provincial and/or federal government and are subject to administrative guidelines or specific program requirements as established by these governments. This provides an additional opportunity for the imposition of more or less stringent program requirements if it is deemed appropriate to do so."*

> *"AMO believes that municipalities should develop community improvement policies and appraisal methods to guide re-development within the municipality and that these should be adopted as part of an official plan. ... the Province in conjunction with the Association define what such a strategy would comprise and develop guidelines for the development and adoption of community improvement strategies. The requirement to develop and adopt such a strategy could then be used as a requirement for participation in cost-shared programs".*

2. Draft Guidelines for Community Improvement Policies

The Association of Municipalities of Ontario concurs with the provisions of subsection 28(2) of Bill 159 which will require municipalities to have an approved official plan which contains policies related to community improvement prior to passing a by-law designating a "community improvement project area". The municipal council is

required to take this action before carrying out any of the activities outlined in subsections 28(3) and 28(4) of Bill 159, including the preparation of a community improvement plan.

It was based on these requirements that the Association was prepared to comment upon and endorse guidelines that would assist municipalities in the preparation of community improvement policies, suitable for inclusion in an official plan. The Association is concerned that the draft guidelines go beyond the goal of providing guidance and assistance and approach the realm of program criteria, mandating what must be included in the official plan policy for it to be eligible for approval.

The above noted criteria are outlined on page six of the draft guidelines (Statements a-h). The Association agrees with the inclusion in the official plan of goals and objectives for community improvement. However, the other information required is not appropriate for inclusion in the official plan.

The information requested in statements (b) to (e) would be more appropriate for inclusion in a background document for the official plan policy or as part of the community improvement plan itself. For example, the inclusion of financial estimates and funding sources in an official plan could place the Minister in the untenable situation of denying approval of a municipality's community improvement policies, policies based on the receipt of funding from an existing program, because the Minister is not prepared or is unable to provide such funding. The Association believes that this information would be more suitable for inclusion in a community improvement "strategy" document, similar in form to a municipal housing statement, which could then be adopted by council. The same could be said for the identification of problems and opportunities, the description of possible improvement measures, the formulation of priorities and phasing measures and the development of implementation procedures. The identification of an improvement area or areas on a map would undoubtedly be a part of the by-law designating the community improvement area.

The information required in statements (f), (g) and (h) could also be included in the community improvement strategy document, previously referred to. However, Section 25 of Bill 159 requires that each municipality that has an official plan consider the need to modify or revise their plan at least every five years. To allow this judgement to be made on an informed basis the majority of municipalities would establish a formal monitoring procedure within the official plan. With respect to modifications and adjustments to official plan policies Bill 159 legislates the procedures to be followed. Alternatively, Bill 159 would permit a municipality to include in its official plan certain provisions with respect to informing and securing the views of the public. In any event, it is unlikely that these procedures would be confined to the community improvement process. More likely they would be applicable to the official plan process generally. Therefore it is not necessary to include these types of provisions in community improvement policies.

Changing economic conditions, changing council priorities and changing community needs require that the community improvement process maintain maximum flexibility. The inclusion of the information referred to in the guidelines in an official plan policy would result in frequent amendments to the plan due to changing conditions, priorities and community needs. This would reduce flexibility and increase costs thus reducing the effectiveness of the community improvement process.

The draft guidelines make reference to public involvement in the policy development process and encourage municipalities to include the public in all activities leading to the preparation of the community improvement policy. Public involvement is inherent in the official plan process and in fact will be required by Bill 159. To require any further actions by municipalities would be placing undue emphasis on public participation and could place a financial burden on municipalities.

The last page of the proposed guidelines indicate that at least three branches of the Ministry of Municipal Affairs and Housing should be contacted when formulating community improvement policies. If community improvement is of substantial importance to the province, as is currently perceived, then all advisory matters related to community improvement should be centralized in one branch, presumably the Community Renewal Branch. This would allow the Community Renewal Branch to liaise, as required, with the other branches to

determine if additional funding is required or available for participating municipalities. The province should show a lead role in centralizing and stream-lining the attendant bureaucracy with respect to the approval process.

Summary

In summary, the Association concurs with the requirement that municipalities must have approved policies related to community improvement in their official plan in order to designate a community improvement area. The Association disagrees with the mandating of what should be included in these policies by the Ministry, whether it be through guidelines, as proposed, or through any other means.

The Association believes that the information requested in the guidelines would be compiled by municipalities involved in a community improvement process as a matter of course. The Association suggests that to require this information as part of a funding program, in a document similar in form to a municipal housing statement, which could be adopted by council, wouldbe a much more acceptable and workable alternative. It would also achieve the objective of the Ministry as set out in the proposed guidelines, that being, to assist the Province in assessing relative needs among competing municipalities for the limited provincial funding under existing and/or future programs of community improvement.

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